

WILLIAM F KAETZ
437 Abbott Road
Paramus NJ 07652
201-753-1063
Plaintiff

WILLIAM F KAETZ
Plaintiff

vs.

THE UNITED STATES

Governor of Alabama Kay Ivey
Governor of Alaska Mike Dunleavy
Governor of American Samoa Lolo Matalasi
Moliga
Governor of Arizona Doug Ducey
Governor of Arkansas Asa Hutchinson
Governor of California Gavin Newsom
Governor of Colorado Jared Polis
Governor of Connecticut Ned Lamont
Governor of Delaware John C. Carney Jr.
Governor of Florida Ron DeSantis
Governor of Georgia Brian Kemp
Governor of Guam Lou Leon Guerrero
Governor of Hawaii David Ige
Governor of Idaho Brad Little
Governor of Illinois J.B. Pritzker
Governor of Indiana Eric Holcomb
Governor of Iowa Kim Reynolds
Governor of Kansas Laura Kelly
Governor of Kentucky Andy Beshear
Governor of Louisiana John Bel Edwards
Governor of Maine Janet T. Mills
Governor of Maryland Larry Hogan
Governor of Massachusetts Charles D.
Baker
Governor of Michigan Gretchen Whitmer
Governor of Minnesota Tim Walz
Governor of Mississippi Tate Reeves
Governor of Missouri Mike Parson
Governor of Montana Steve Bullock
Governor of Nebraska Pete Ricketts
Governor of Nevada Steve Sisolak
Governor of New Hampshire Chris Sununu
Governor of New Jersey Phil Murphy
Governor of New Mexico Michelle Lujan
Grisham

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Case No.: 2:19-cv-08100-CCC-JBC

AMENDED CIVIL COMPLAINT
JURY TRIAL DEMANDED

Assigned to:
Judge Claire C. Cecchi

Referred to:
Magistrate Judge James B. Clark

Cause:

42:1983 CIVIL ACTION FOR
DEPRIVATION OF RIGHTS

28 U.S. CODE § 1331.FEDERAL
QUESTION

CONSTITUTIONAL RIGHTS AND
PUBLIC TRUST ACTION

FIRST AMENDED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF

NATIONALITY DISCRIMINATION

Governor of New York Andrew Cuomo
Governor of North Carolina Roy Cooper
Governor of North Dakota Doug Burgum
Governor of Ohio Richard Michael DeWine
Governor of Oklahoma Kevin Stitt
Governor of Oregon Kate Brown
Governor of Pennsylvania Tom Wolf
Governor of Rhode Island Gina Raimondo
Governor of South Carolina Henry
McMaster
Governor of South Dakota Kristi L. Noem
Governor of Tennessee Bill Lee
Governor of Texas Greg Abbott
Governor of the Northern Mariana Islands
Ralph Torres
Governor of the U.S. Virgin Islands Albert
Bryan
Governor of Utah Gary Herbert
Governor of Vermont Phil Scott
Governor of Virginia Ralph Northam
Governor of Washington Jay Inslee
Governor of West Virginia Jim Justice
Governor of Wisconsin Tony Evers
Governor of Wyoming Mark Gordon
Hillary Clinton
Barack Hussein Obama
Black Lives Matter
Antifa

PLEASE TAKE NOTICE that on July 16, 2020, plaintiff William Kaetz, pro se, files this Amended civil complaint in the United States District Court District of New Jersey in accordance with the Order of June 30, 2020 against defendants; The United States and all the State Governors and individuals in their personal capacity. This complaint is to redress the following:

CLAIMS FOR RELIEF

1. IMPLIED RIGHT TO ACTION AS PER CONGRESSIONAL INTENT OF VIOLATIONS OF OATH OF OFFICE.
2. VIOLATION OF UNITED STATES CONSTITUTION ARTICLE 4 SECTION 4 GUARANTEEING A REPUBLIC FORM OF GOVERNMENT AND PROTECTION AGAINST ANY OTHER FORMS OF GOVERNMENT.
3. VIOLATION OF STATE AND FEDERAL DUE PROCESS AND EQUAL PROTECTION RIGHTS OF THE FIFTH AMENDMENT AND FOURTEENTH AMENDMENT.
4. NATIONALITY DISCRIMINATION AGAINST PLAINTIFF, A CITIZEN OF THE UNITED STATES OF AMERICA.
5. VIOLATION OF THE UNENUMERATED RIGHTS PRESERVED FOR THE PEOPLE BY THE NINTH AMENDMENT
6. VIOLATION OF THE PUBLIC TRUST DOCTRINE

STATEMENT OF CLAIMS

Plaintiff William Kaetz, pro se, files this Amended civil complaint in the United States District Court District of New Jersey against defendants for the following reasons:

1. declaratory decrees that are: The United States Constitution, All State Constitutions, and the oath of office was violated by the defendants.

2. Declaratory relief was unavailable; plaintiff would need to rely on the same people that violated the declaratory decrees for a criminal complaint.

PLAINTIFF'S PERSONAL STAKE AND HIS INJURY IN THIS DISPUTE

3. The defendants' have, and continues to, violate The United States Constitution, All State Constitutions, by violating their oath of office. Some Defendants have directly violated their oath of office and continue to do so, some defendants indirectly violated and continue to violate their oath of office by aiding and abetting with inactions, and by doing so defendants commit usurpations of the Supreme law of the land, the United States Constitution and therefore violate and jeopardize and harm plaintiff's freedom and his Unalienable Rights protected by his State's and United States' Constitution.

4. The defendants' actions violate the 5th and 14th Amendments Due Process and Equal Protection Clauses and relative State Constitution mandates with violations of oath of office caused by allowing invasions of Marxism to change our form of government in violation of United States Constitution Article 4 Section 4 guaranteeing a Republic Form of Government and Protection Against Any Other Forms of Government, and that causes Nationality Discrimination against the Plaintiff, a citizen of the United States of America, a national of New Jersey and of the United States, and discriminates All Americans, and that violates the Unenumerated Rights Preserved For The People By The Ninth Amendment, and it is a violation of the public trust doctrine.

5. Defendants usurpations of the Supreme law of the land, the United States Constitution, has harmed the plaintiff with usurpations of power under the color of law in violation of the United States Constitution.

6. The defendants' actions constitute acts of Constitutional Violations under the color of law by willfully violating each individual defendant's citizenship duties and their oath of office by

allowing known enemies of plaintiff's nation in plaintiff's nation's official offices that require the declaratory decree of the oath of office with the knowledge that these known enemies cannot and will not and willfully chose not to do their citizenship duties and adhere to the oath of office, they have advocated against the United States Constitution, and, they were not qualified to be a candidate for the official position to begin with. The defendants' acts of fraud and treason under the color of law pronounced above infringe and harms and jeopardizes plaintiff's rights and freedom protected by the States' and United States' Constitution and discriminates against plaintiff's nationality, a citizen of the United States of America.

7. It is well known fact all Communists, Socialists, Muslims and Totalitarians will not assimilate to our Constitutional Republic Form of Government. All defendants while holding office have in the past and are still doing, and are allowing demonstrations of advocacy for Communism, Socialism, Islamic and Totalitarianism agendas to overthrow our Constitutional Republic Form of Government without prosecution. By allowing Communists, Socialists, Muslims and Totalitarians and their supporters in government positions advocating un-American agendas not adhering to their citizenship duties and their oath of office without prosecution are willful acts of oath of office violations. Failure to stop this is aiding and abetting willful acts of oath of office violations. These acts infringe and harms and jeopardizes plaintiff's rights and freedom protected by the States' and United States' Constitution and discriminates against plaintiff's nationality, a citizen of the United States of America.

8. A Communism, Socialism, Islamic and or Totalitarianism type of government is Unconstitutional and violates ARTICLE IV SECTION 4; The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against

Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

9. The Defendants failed to protect the States and the United States of Domestic Violence of Communism, Socialism, Islamic and Totalitarianism Invasions of State and Federal Governments in violation of ARTICLE IV SECTION 4, this failure infringes and harms and jeopardizes plaintiff's rights and freedom protected by the States' and United States' Constitution and discriminates against plaintiff's nationality, a citizen of the United States of America.

10. The Defendants, Hillary Clinton and Barack Hussein Obama have committed crimes and violations of oath of office. The evidence is overwhelming (see <https://www.judicialwatch.org>, and Tom Fitton's book Clean House based on FOIA information). Examples #1, #2; the 2012 Benghazi attack, and the Obama-era Russian Uranium One deal. The United States have failed to prosecute, instead, many officials use Clinton's and Obama's corruption to justify their own corruption and have implanted socialists in our government and their corruption has harmed and jeopardized Plaintiff's safety and welfare and his Unalienable Rights and freedom.

11. The alleged Coronavirus Pandemic is a hoax. COVID Facts per the CDC: U.S. population: 329,934,000, Covid cases: 3,106,931 Deaths: 132,855 that means only 0.94% (less than 1%) of Americans even contracted the virus. It also means 95.72% of those survive. Best of all, only 0.04% of Americans have died from the virus. A 99.96% survival rate. The defendants acted and continue to act under the color of law about the alleged pandemic. There is no evidence to claim state of emergencies, order businesses to close, order people to wear masks, order social distancing, order religious activities to stop, order everything to stop, then discriminate by choosing who is essential and who is not essential. The defendants discriminate against Americans exercising their rights while allowing Black Lives Matter (BLM) and Antifa groups pillage and

ravish our cities, disband the police, destroy our heritage and history. Pushing for open borders and illegal aliens to vote and all the above is not in the safety and welfare of this nation. These acts are to change our country into a Socialist Communist country in violation of the Constitution under color of law.

12. In 1933 Hitler appointed Hermann Goring Minister of the Interior. His first orders were to defund and eliminate the police departments so that they will not interfere with his Brown Shirts whose mission is was to riot, burn, beat up, and kill citizens in an effort to sway elections. This is what is going on today here in the USA with the BLM and Antifa and the defendants are not stopping this invasion. It really amounts to treason. The defendants have caused and allowed civil unrest that have and will cause physical and financial harm, has caused mental and physical stress, and jeopardizes the rights and freedom of every American.

13. The defendants' action violate the 5th and 14th Amendments Due Process and Equal Protection Clauses and relative State Constitution mandates with violations of oath of office caused by allowing invasions of Marxism to change our form of government in violation of United States Constitution Article 4 Section 4 guaranteeing a Republic Form of Government and Protection Against Any Other Forms of Government, and that causes Nationality Discrimination against the Plaintiff, a citizen of the United States of America, a national of New Jersey and of the United States, and discriminates All Americans, and that violates the Unenumerated Rights Preserved For The People By The Ninth Amendment, and it is a violation of the public trust doctrine.

JURISDICTION AND VENUE

14. This action is brought pursuant to the United States Constitution. It is authorized by Article III, Section 2, which extends the federal judicial power to all cases arising in equity under the Constitution. "The identification and protection of fundamental rights is an enduring part of the

judicial duty to interpret the Constitution.” *Obergefell v. Hodges*, 576 U.S. _____, *slip. op. at 10* (2015). That grant of equitable jurisdiction requires Article III courts to apply the underlying principles of the Constitution to new circumstances unforeseen by the framers, such as the irreversible destruction of the natural heritage of our whole nation. An actual controversy has arisen and exists between the Plaintiff and Defendants because Defendants have placed the Plaintiff in a dangerous situation, continue to infringe upon Plaintiff’s constitutionally protected rights, and have abrogated their duty of care to ensure Plaintiff’s reasonable safety, among other violations of law. The Plaintiff has no adequate remedy at law to redress the harms herein, which are of a continuing nature and which, if left unresolved, will be irreversible.

15. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 2201 (creation of a remedy), and 28 U.S.C. § 2202 (further relief) as this action arises under the laws of the United States. Venue lies in this judicial district by virtue of 28 U.S.C. § 1391(e). The Plaintiff resides in this judicial district, some Defendants have offices in this judicial district, and the events, omissions, and harms giving rise to the claims herein arise in substantial part in this judicial district.

**VIOLATION OF OATH OF OFFICE
THE IMPORTANCE OF THE OATH OF OFFICE AND OF CITIZENSHIP
CONGRESSIONAL INTENT OF STATUTES**

16. The starting point is the United State Constitution. The following excerpts are about the OATH OF OFFICE AND CITIZENSHIP and are from THE CONSTITUTION of the UNITED STATES OF AMERICA, Analysis and Interpretation Centennial Edition Interim Edition: Analysis of Cases Decided by The Supreme Court of the United States to June 27, 2016 Prepared by The Congressional Research Service Library of Congress (<https://www.govinfo.gov/content/pkg/GPO-CONAN-REV-2016/pdf/GPO-CONAN-REV->

2016.pdf?fbclid=IwAR0cWC-

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UNITED STATES CONSTITUTION ARTICLE II SECTION 1

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: — “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

UNITED STATES CONSTITUTION ARTICLE VI

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the Contrary notwithstanding. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

AMENDMENT 14—RIGHTS GUARANTEED

SECTION 1 - All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTIONS 3 - No Person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may by a vote of two thirds of each House, remove such disability.

ARTICLE IV SECTION 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE IV SECTION 4 NOTES

“Resd. that a Republican government . . . ought to be guaranteed by the United States to each state.” 1 M. FARRAND, THE RECORDS OF THE FEDERAL CONVENTION OF 1787 22 (rev. ed. 1937). In a letter in April, 1787, to Randolph, who formally presented the Virginia Plan to the Convention, Madison had suggested that “an article ought to be inserted expressly guaranteeing the tranquility of the states against internal as well as external danger. . . . Unless the Union be organized efficiently on republican principles innovations of a much more objectionable form may be obtruded.” 2 WRITINGS OF JAMES MADISON 336 (G. Hunt ed., 1900). On the background of the clause, see W. WIECEK, THE GUARANTEE CLAUSE OF THE U.S. CONSTITUTION ch. 1 (1972).

Thus, on June 11, the language of the provision was on Madison’s motion changed to: “Resolved that a republican constitution and its existing laws ought to be guaranteed to each state by the United States.” 1 M. FARRAND, THE RECORDS OF THE FEDERAL CONVENTION OF 1787 193–194, 206 (rev. ed. 1937). Then, on July 18, Gouverneur Morris objected to this language on the ground that “[h]e should be very unwilling that such laws as exist in R. Island ought to be guaranteed to each State of the Union.” 2 *id.* at 47. Madison then suggested language “that the Constitutional authority of the States shall be guaranteed to them respectively against domestic as well as foreign violence,” whereas Randolph wanted to add to this the language “and that no State be at liberty to form any other than a Republican Govt.” Wilson then moved, “as a better expression of the idea,” almost the present language of the section, which was adopted. *Id.* at 47–49.

Thus, Randolph on June 11, supporting Madison’s version pending then, said that “a republican government must be the basis of our

national union; and no state in it ought to have it in their power to change its government into a monarchy.” 1 *id.* at 206. Again, on July 18, when Wilson and Mason indicated their understanding that the object of the proposal was “merely” to protect states against violence, Randolph asserted: “The Resoln. has 2 Objects. 1. to secure Republican government. 2. to suppress domestic commotions. He urged the necessity of both these provisions.” 2 *id.* at 47. Following speakers alluded to the dangers of monarchy being created peacefully as necessitating the provision. *Id.* at 48. See W. WIECEK, *THE GUARANTEE CLAUSE OF THE U.S. CONSTITUTION* ch. 2 (1972).

UNITED STATE SUPREME COURT AND STATUTES OF LAW

Marbury v. Madison, 5 U.S. 137, was a U.S. Supreme Court case that established the principle of judicial review in the United States, meaning that American courts have the power to strike down laws, statutes, and some government actions that violate the Constitution of the United States. . . . a legislative act contrary to the constitution is not law.” 5 U.S. at 176–77. The Chief Justice noted that the Supremacy Clause (Art. VI, cl. 2) gave the Constitution precedence over laws and treaties, providing that only laws “which shall be made in *pursuance* of the constitution” shall be the supreme law of the land. 5 U.S. at 180. Compare A. Bickel, *supra* at 8–12, with R. Berger, *supra* at 223–284. The decision in *Marbury v. Madison* has never been disturbed, although it has been criticized and has had opponents throughout our history. It not only carried the day in the federal courts, but from its announcement judicial review by state courts of local legislation under local constitutions made rapid progress and was securely established in all states by 1850. (E. CORWIN, *THE DOCTRINE OF JUDICIAL REVIEW* 75–78 (1914); Nelson, *Changing Conceptions of Judicial Review: The Evolution of Constitution Theory in the State, 1790–1860*, 120 U. PA. L. REV. 1166 (1972).)

“The Constitution and laws of the United States are the supreme law of the land, and to these every citizen of every State owes obedience, whether in his individual or official capacity.” Ex parte Siebold, 100 U.S. 371 (1879) at 392.

“Congress has determined that the danger created by advocacy of overthrow justifies the ensuing restriction on freedom of speech.” Dennis v. United States, 341 U.S. 494 (1951) at 550–51.

It is clear that such persons have the right under our law to assemble, speak, think and believe as they will. *Communications Assn. v. Douds*, 339 U. S. 382. It is equally clear that they have no right to work for the State in the school system on

their own terms. *United Public Workers v. Mitchell*, 330 U. S. 75. They may work for the school system upon the reasonable terms laid down by the proper authorities of New York. If they do not choose to work on such terms, they are at liberty to retain their beliefs and associations and go elsewhere. Has the State thus deprived them of any right to free speech or assembly? We think not. Such persons are or may be denied, under the statutes in question, the privilege of working for the school system of the State of New York because, first, of their advocacy of the overthrow of the government by force or violence, or, secondly, by unexplained membership in an organization found by the school authorities, after notice and hearing, to teach and advocate the overthrow of the government by force or violence, and known by such persons to have such purpose. Adler v. Board of Educ. of City of New York, 342 U.S. 485 (1952) at 492

Citizenship by naturalization is a privilege to be given or withheld as Congress may determine: “It is not within the province of the courts to make bargains with those who seek naturalization. They must accept the grant and take the oath in accordance with the terms fixed by the law, or forego the privilege of citizenship. There is no middle choice.” United States v. Macintosh, 283 U.S. 605 (1931). See also Fong Yue Ting v. United States, 149 U.S. 698, 707–08 (1893).

Present naturalization statutes continue to require loyalty and good moral character and generally bar subversives, terrorists, and criminals, among others, from citizenship. (see The Alien and Sedition Act of 1798, 1 Stat. 570, empowered the President to deport any alien he found dangerous to the peace and safety of the Nation. In 1903, Congress provided for denial of naturalization and for deportation for mere belief in certain doctrines, i.e., anarchy. Act of March 3, 1903, 32 Stat. 1214. See United States ex rel. Turner v. Williams, 194 U.S. 279 (1904). The range of forbidden views was broadened in 1918 (Act of October 15, 1918, § 1, 40 Stat. 1012) and periodically thereafter. The present law is discussed in *The Naturalization of Aliens*, *infra*.)

“The right of a person to become a naturalized citizen of the United States shall not be denied or abridged because of race or sex or because such person is married.” § 311, 66 Stat. 239 (1952), 8 U.S.C. § 1422.

However, any person “who advocates or teaches, or who is a member of or affiliated with any organization that advocates or teaches . . . opposition to all organized government,” or “who advocates or teaches or who is a member of or affiliated with any organization that advocates or teaches the overthrow by force or violence or other unconstitutional means of the Government of the United States”

or who is a member of or affiliated with the Communist Party, or other communist organizations, or other totalitarian organizations is ineligible.

§ 313(a), 66 Stat. 240 (1952), 8 U.S.C. § 1424(a).

These provisions moreover are “applicable to any applicant for naturalization who at any time within a period of ten years immediately preceding the filing of the petition for naturalization or after such filing and before taking the final oath of citizenship is, or has been found to be, within any of the classes enumerated within this section, notwithstanding that at the time the petition is filed he may not be included within such classes.”

§ 313(c), 66 Stat. 241 (1952), 8 U.S.C. § 1424(c).

The process of naturalization culminates in the taking in open court of an oath “(1) to support the Constitution of the United States; (2) to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the petitioner was before a subject or citizen; (3) to support and defend the Constitution and the laws of the United States against all enemies, foreign and domestic; (4) to bear true faith and allegiance to the same; and (5) (A) to bear arms on behalf of the United States when required by the law, or (B) to perform noncombatant service in the Armed Forces of the United States when required by the law, or (C) to perform work of national importance under civilian direction when required by law.” (§ 337(a), 66 Stat. 258 (1952), 8 U.S.C. § 1448(a). In United States v. Schwimmer, 279 U.S. 644 (1929), and United States v. MacIntosh, 283 U.S. 605 (1931), a divided Court held that clauses (3) and (4) of the oath, as then prescribed, required the candidate for naturalization to be willing to bear arms for the United States, thus disqualifying conscientious objectors. These cases were overturned, purely as a matter of statutory interpretation by Girouard v. United States, 328 U.S. 61 (1946), and Congress codified the result, 64 Stat. 1017 (1950), as it now appears in the cited statute)

Any naturalized person who takes this oath with mental reservations or conceals or misrepresents beliefs, affiliations, and conduct, which under the law disqualify one for naturalization, is subject, upon these facts being shown in a proceeding brought for the purpose, to have his certificate of naturalization cancelled.(§ 340(a), 66 Stat. 260 (1952), 8 U.S.C. § 1451(a). See Kungys v. United States, 485 U.S. 759 (1988) (badly fractured Court opinion dealing with the statutory requirements in a denaturalization proceeding under this section). See *also* Johannessen v. United States, 225 U.S. 227 (1912). Congress has imposed no time bar applicable to proceedings to revoke citizenship, so that many years after naturalization has taken place a naturalized citizen remains subject to divestment upon proof of fraud.

Costello v. United States, 365 U.S. 265 (1961); Polites v. United States, 364 U.S. 426 (1960); Knauer v. United States, 328 U.S. 654 (1946); Fedorenko v. United States, 449 U.S. 490 (1981).)

Moreover, if within a year of his naturalization a person joins an organization or becomes in any way affiliated with one which was a disqualification for naturalization if he had been a member at the time, the fact is made prima facie evidence of his bad faith in taking the oath and grounds for instituting proceedings to revoke his admission to citizenship. (340(c), 66 Stat. 261 (1952), 8 U.S.C. § 1451(c). The time period had previously been five years.)

17. It is perfectly clear from the above excerpts it is a Congressional Intent that being a Citizen of the United States is a Declaratory Decree to be loyal to this Nation's founding documents, the States' and United States' Constitution, it is a Mandatory Duty of every citizen, a private right to action, and, for every State and Federal Employee they are legally bound to this Mandatory Duty, and, this Duty takes supreme over anything else to include to secure a Republic Form of Government and to suppress domestic commotions, and, failure to do so is not an option, there are consequences of revoking citizenship as stated above and criminal penalties in the following facts of Law. The failure and willfulness of the Defendants to NOT do their duty to be loyal to the States' and United States' Constitution violate and jeopardize and harm and trespass Plaintiff's freedom and Unalienable Rights that are Protected by the States' and United States' Constitution, and, Defendants discriminate against Plaintiff's nationality; a citizen of the United States of America, a national of New Jersey and of the United States.

18. The Defendants' action violate the 5th and 14th Amendments Due Process and Equal Protection Clauses and relative State Constitution mandates with violations of oath of office caused by allowing invasions of Marxism to change our form of government in violation of United States Constitution Article 4 Section 4 guaranteeing a Republic Form of Government and Protection Against Any Other Forms of Government, and that causes Nationality Discrimination against the

Plaintiff, a citizen of the United States of America, a national of New Jersey and of the United States, and discriminates All Americans, and that violates the Unenumerated Rights Preserved For The People By The Ninth Amendment, and it is a violation of the public trust doctrine.

**OATH OF OFFICE FACTS OF LAW DEFENDANTS VIOLATE
IN SUPPORT OF PLAINTIFF'S PRIVATE RIGHT TO ACTION**

19. The Founding Fathers went to great lengths to ensure that we were a republic and not a democracy. In fact, the word democracy does not appear in the Declaration of Independence, the Constitution, or any other of our founding documents.

20. A few quotations expressed by the Founders about democracy:

- a. In Federalist Paper No. 10, James Madison wanted to prevent rule by majority faction, saying, "Measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority."
- b. John Adams warned in a letter, "Remember democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet, that did not commit suicide."
- c. Edmund Randolph said, "That in tracing these evils to their origin, every man had found it in the turbulence and follies of democracy."
- d. Then-Chief Justice John Marshall observed, "Between a balanced republic and a democracy, the difference is like that between order and chaos."

21. The Founders expressed contempt for the tyranny of majority rule, and throughout our Constitution, they placed impediments to that tyranny.

22. Two houses of Congress pose one obstacle to majority rule. That is, 51 senators can block the wishes of 435 representatives and 49 senators. The president can veto the wishes of 535 members of Congress. It takes two-thirds of both houses of Congress to override a presidential

veto. To change the Constitution requires not a majority but a two-thirds vote of both houses, and if an amendment is approved, it requires ratification by three-fourths of state legislatures.

23. The recent years have proven our elected representatives have little to no interest in presenting or passing legislation that passes constitutional muster. A myriad of laws such as, mandated Healthcare, mandated Education, mandated Vaccines, Infanticide, and legislative assaults on the Second Amendment, Red Flag Laws, Gender Changing Children, Domestic Violence of Communist, Socialist, Muslim and Totalitarianism Invasions of State and Local Governments and schools, the removal of the Constitution from school curriculums. The alleged Coronavirus Pandemic. Voter Fraud. All of this becomes taxation without representation because defendants are not representing the laws of these lands, the U.S. and States Constitutions. All of this points to an out of control tyrannical government our founders never intended but clearly warned us about.

24. Oath of Office Laws promulgated in the US and State Constitutions and in the Bar Association Rules for Attorneys, and in Court Rules are to secure unalienable rights, and, the laws for violating the Oath of Office, prohibit and make it a Civil and Criminal Offense to violate the oath of office and infringe the unalienable rights of the people promulgated in the US and State Constitutions, this includes advocating against the State and US Constitutions. The oath of office is now treated as just words to be said but no one holds those taking the oath responsible. Violating the oath is codified as a violation of federal law and executive order and all 50 states have similar laws for violating oath of office. The oath taken by defendants is similar to all and reads,

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any

mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

25. It is apparent that the section of the oath that seems almost daily violated by defendants is "I will bear true faith and allegiance to the same; that I take this obligation freely, without reservation or purpose of evasion;"

26. The defendants have been knowingly presenting legislation and State of Emergencies under the color of law contrary to the Constitution and then relying on legal challenges to make it to supreme court for final disposition, that is still a violation of the oath taken no matter the law eristic maneuver of passing legislation as constitutional and waiting for a challenge.

27. Below is the most detailed listing of codes covering the subject of congressional oath and penalties for violation, Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement. The states have similar laws.

28. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office.

29. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law.

30. 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to "advocate the overthrow of our constitutional form of government".

31. The fourth federal law, 18 U.S.C. 1918 provides penalties for violation of oath office described in 5 U.S.C. 7311 which include: (1) removal from office and; (2) confinement or a fine.

32. The definition of “advocate” is further specified in Executive Order 10450 which for the purposes of enforcement supplements 5 U.S.C. 7311. One provision of Executive Order 10450 specifies it is a violation of 5 U.S.C. 7311 for any person taking the oath of office to advocate “the alteration ... of the form of the government of the United States by unconstitutional means.”

33. Our form of government is defined by the Constitution of the United States. It can only be “altered” by constitutional amendment. Thus, according to Executive Order 10450 (and therefore 5 U.S. 7311) any act taken by government officials who have taken the oath of office prescribed by 5 U.S.C. 3331 which alters the form of government other than by amendment, is a criminal violation of the 5 U.S.C. 7311.

34. This should be a non-partisan subject simply due to the fact this has been going on for long decades and both parties are guilty according to the law.

35. Anyone that is paying attention has watched a slow and steady deterioration of personal freedoms, and it’s about to reach a tipping point where those hard fought rights become meaningless.

36. In other words, it doesn’t take a genius to see we’re traveling at breakneck speed down a road towards tyranny. The scales could be tipped back somewhat if the public had awareness that the oath has teeth and voiced expectation that it be taken seriously. But on the other hand, the alternative might eventually become necessary in the words of Thomas Jefferson, “The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.” We do not have to go that far, this complaint is to bring teeth to the oath of office and our constitutional form of government and to stop the abuse of power.

37. The founders of the United States of America never intended for Americans to trust their government. Our entire Constitution was predicated on the notion that government was a necessary

evil, to be restrained and minimized as much as possible, and that's why there is an oath of office and the second amendment with the words "shall not be infringed", and all other checks and balances in our American system. The government must stay in its box.

CLAIM FOR RELIEF
Violation of Civil Rights

38. Defendant Phil Murphy has created an unacceptable tyranny in the state of New Jersey in violation of the Declaration of Independence upon which this nation was constructed, in violation of the Articles and Amendments of the Constitution of the United States, and in violation of the Constitution of the state of New Jersey. His attempt to assert himself as tyrant has restricted and denied the liberty of all New Jersians and has violated the civil rights of the plaintiff. The Plaintiff can fairly represent the interests of the class of nonessential New Jersians similarly situated. **(As well as all other Defendants in their respective States)**

39. Plaintiff's ability to peaceably assemble and to petition the government for redress of grievances has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders.

40. Plaintiff is a carpenter working in New Jersey whose rights to visit and purchase needed goods and services from nonessential businesses have been, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jersians similarly situated.

41. Plaintiff's ability to be a political activist whose ability to peaceably assemble and to petition the government for redress of grievances has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jersians similarly situated.

42. **Plaintiff's** ability to pursue his livelihood has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jersians similarly situated.

43. **Plaintiff** is the owner of a corporation in New Jersey, whose ability to pursue his livelihood has been deemed nonessential, restricted, and denied, by Phil Murphy's Executive Orders. The Plaintiff can fairly represent the interests of the class of nonessential New Jersians similarly situated. Nonessential New Jersians are a discrete class of people who are engaged in businesses and occupations suffering a deprivation of liberty, unlawful discrimination and disparate treatment, being excluded by Defendant Phil Murphy's Executive Orders whose inalienable rights have been deemed nonessential.

44. **Phil Murphy** is the Governor of the State of New Jersey, whose authority is expressly set forth and expressly limited in the Constitution of the State of New Jersey, and an individual who took an oath to perform the office of Governor of the state of New Jersey, swearing the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the state of New Jersey, and that I will faithfully discharge the duties of the office of (name of office) to the best of my ability." For purposes of 42 U.S.C. § 1983, Phil Murphy is a government official performing discretionary functions that violates clearly established statutory or constitutional rights of which a reasonable person would have known.

JURISDICTION AND VENUE

Plaintiff raises a federal question under 42 U.S.C. § 1983 and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1331. Defendant Phil Murphy, acting in his capacity as governor of the state of New Jersey, has denied plaintiffs:

A. The Privilege of the Writ of Habeas Corpus which are guaranteed under Article 2, Section 9, clause 2, of the US Constitution, and in violation of the Constitution of the state of New Jersey.

B. Privileges and Immunities of Citizens in the several States which are guaranteed under Article 4, Section 2 of the US Constitution, including the liberty to freely practice religion, to peaceably assemble at local churches and other places of worship, to make a livelihood, to be free of deprivation of liberty including free movement and free association, and to retain the liberty interest protected by writs of habeas corpus.

C. A republican form of government which is guaranteed under Article 4, Section 4 of the US Constitution by restricting and denying by the liberty interests of New Jersey citizens, including:

(i) Denying the plaintiff the right to attend open meetings of government entities making public laws.

(ii) Entering into treaties, alliances and confederations with other states in violation of Article I, Section. 10 of the US Constitution.

(iii) By denying plaintiffs the right to attend political rallies, and the right to peaceably assemble for purposes of asserting grievances against the government.

D. Rights protected under the First Amendment made applicable to the states under the Fourteenth Amendment, including the free practice of religion (closing churches), the right to peaceably assemble (banning non-criminal gatherings), and the right to petition the government for a redress of grievances (banning public political rallies or gatherings).

E. Rights protected under the Fourteenth Amendment, including:

(i) enforcing state laws which shall abridge the privileges or immunities of plaintiffs who are citizens of the United States (suspending habeas corpus, imposing limited martial law when no

invasion or other catastrophe exists; asserting the right to use military tribunals for citizens of New Jersey; and declaring an emergency when no emergency exists);

(ii) Depriving New Jersians of fundamental liberty interests by imposing limited house arrest on citizens without due process.

(iii) Depriving New Jersians of fundamental property interests by summarily terminating the businesses of persons deemed “nonessential” by the arbitrary and capricious whim of the governor; and by depriving them of their liberty interest in making a living.

(iv) Depriving New Jersians of due process, in placing persons without illness or a finding of illness under limited house arrest, and placing persons without illness or a finding of illness in quarantine, summarily closing businesses deemed non-essential, and otherwise restricting liberty protected under the US Constitution and New Jersey’s Constitution with no process of any sort – no notice, no hearing, no trial, no opportunity to confront witnesses, no opportunity to put on a defense, no opportunity to obtain a reasoned decision, and no opportunity to appeal.

(v) Depriving plaintiffs of equal protection of the laws by deeming certain New Jersians as “essential businesses” and the plaintiff and others as “non-essential” even though they are similarly situated.

45. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides for “limited military law”, “a partial subordination of civil authority by the setting up of an additional police power vested in the military force, which shall have the right to try all persons apprehended by it in such area by a military tribunal,” and at “which time the writ of habeas corpus shall be suspended in behalf of such person”.

46. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor “[o]n behalf of this state, to enter into mutual aid arrangements with

other states and territories, and to coordinate mutual aid interlocal agreements between political subdivisions of this state”.

47. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[a]ny number of persons, as designated by the governor, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private”.

48. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[t]he sale, purchase or dispensing of other commodities or goods, as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace”.

49. Phil Murphy, governor of the state of New Jersey, proclaimed a state of emergency that provides that the governor, after proclaiming a state of emergency, may issue an order prohibiting “[s]uch other activities as he reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace”. Neither the US Constitution, nor the Constitution of the state of New Jersey, grant the governor the authority to so act.

50. The Plaintiff seeks to redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1343(3).

51. The Plaintiff seeks to recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote and jurisdiction is therefore proper pursuant to 28 U.S. Code § 1343(4).

52. The Plaintiff seeks relief for violations of state law under facts related to the claims asserted that form part of the same case. Supplement jurisdiction is therefore proper pursuant to 28 U.S. Code § 1367(a). Venue is proper pursuant to 28 U.S. Code § 1391(b)(2).

DISCUSSION

53. The response to the coronavirus is hyped. And in time, this hype will be revealed as politically hoaxed. In fact, COVID-19 will go down as one of the political world's biggest, most shamefully overblown, overhyped, overly and irrationally inflated and outright deceptively flawed responses to a health matter in American history, one that was carried largely on the lips of medical professionals who have no business running a national economy or government. The facts are this: COVID-19 is a real disease that sickens some, proves fatal to others, mostly the elderly — and does nothing to the vast majority. That's it. That, in a nutshell, is it.

54. **SEE ALSO: Eighty percent of the population has little or nothing to fear from COVID-19**

55. (<https://www.washingtontimes.com/news/2020/apr/27/eighty-percent-of-the-population-has-little-or-not/>)

56. Or, in the words of Dan Erickson (/topics/dan-erickson/) and Artin Massih, doctors and co-owners of Accelerated Urgent Care in Bakersfield, California: Let's get the country reopened — and now. "Do we need to still shelter in place?

57. Our answer is emphatically no.

58. Do we need businesses to be shut down?

59. Emphatically no. ... [T]he data is showing it's time to lift," Erickson (/topics/danerickson/) said (<https://www.aier.org/article/open-up-society-now-say-dr-dan-erickson-and-dr-artinmassihi/>), in a recent interview.

60. He's right.

61. They're right.

62. The data to keep America closed and Americans closed in simply doesn't exist.

63. If truth be told, it's questionable it ever did. The scientists leading the coronavirus shutdown charge predicted in March that in America, between 100,000 and 250,000 would die. They based those estimates on computer modeling. But at the same time they were basing those estimates on computer modeling, they were acknowledging that computer modeling (<https://www.nytimes.com/2020/03/31/world/coronaviruslive-news-updates.html>) is inaccurate and errs on the side of hype. "I've never seen a model of the diseases I've dealt with where the worst-case actually came out," said (<https://www.cnn.com/2020/03/29/politics/coronavirus-deaths-cases-anthony-faucicnn/index.html>) Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases and a member of President Donald Trump's White House coronavirus task force, during a CNN interview in March. "They always overshoot." Catch that? Fauci's message: Computer models are flawed and inaccurate and always overestimate the problem. But from these faulty overinflated computer figures came all the constitutionally questionable actions by government anyway — from ordering businesses closed to quarantining-house arresting American citizens to doing some quick and pitiful and economically painful income redistribution schemes via stimulus funds' legislation. Since, about 56,000 have died in America due to coronavirus — or have they? Again, the facts are flimsy. Government ordered hospitals weeks ago to stop performing elective surgeries to make way for the projected numbers of coronavirus patients. So they did. And in so doing, they cut off their revenue streams. So Congress passed legislation giving hospitals billions of dollars to treat coronavirus patients. Conflict of interest? Yikes. Yes. The coronavirus counts, already flawed from computer modeling,

were then given another flawed treatment. “[Pennsylvania] removes more than 200 deaths from official coronavirus count as questions mount about reporting process, data accuracy,” The Inquirer reported (<https://www.inquirer.com/health/coronavirus/spl/pennsylvania-death-count-changes-confusioncoronavirus-20200423.html>).

64. Add to that the ever-changing nature of a virus that spreads by air and contact, and honestly, suddenly, even expert Fauci’s best guess is about as good as Joe Neighbor’s best guess. So that leaves common sense, combined with knowledge of past viruses, to guide. But the quote-unquote medical experts refused to go there, refused to acknowledge common sense, refused to compare with past viruses in any way that didn’t hype the coronavirus counts. This virus was different, Americans were told. This virus was far more contagious than anything ever before seen or studied, Americans were told. And any time the case counts dropped off and the numbers proved wrong, well, this was due to the social distancing and quarantining and face-mask wearing that Americans had been doing, by government’s order — Americans were told.

65. It just didn’t make sense.

66. It just doesn’t add up.

67. It just didn’t, and doesn’t, justify the utter shredding of civil rights.

68. And now some in the medical community, thank goodness, are starting (<https://abc7news.com/shelter-in-place-coronavirus-stay-at-home-ca/6131877/>) to point out the glaring omissions of logic and fact that have plagued this overhyped, overreaching coronavirus crackdown that has stretched on far, far too long. Among some of Erickson (/topics/dan-erickson/)’s remarks: “This is immunology — microbiology 101. This is the basis of what we’ve known for years: When you take (<https://www.youtube.com/watch?v=xflVxxIBLU>) human beings and you say, ‘Go into your house, clean all your counters, Lysol them down’ ... what does

it do to our immune system? ... Sheltering in place decreases your immune system.” And this: “Any time you have something new in the [medical] community, it sparks fear — and I would have done what Dr. Fauci did ... initially. ... But you know, looking at theories and models — which is what these folks use — is very different than the way the actual virus presents itself throughout communities.”

69. And this: “Do you think you’re protected from COVID when you wear gloves that transfer disease everywhere? ... We wear masks in an acute setting to protect us. [But] we’re not wearing masks.

70. Why is that? Because we understand microbiology. We understand immunology. And we want strong immune systems. I don’t want to hide in my home, develop a weak immune system and then come out and get disease.”

71. And this: “When I’m writing up my death report I’m being pressured to add COVID. Why is that? Why are we being pressured to add COVID? To maybe increase the numbers, and make it look a little bit worse than it is. We’re being pressured in-house to add COVID to the diagnostic list when we think it has nothing to do with the actual cause of death. The actual cause of death was not COVID, but it’s being reported as one of the diseases processes. ... COVID didn’t kill them, 25 years of tobacco use killed.”

72. Does it get any clearer than that?

73. Seriously, America. The only reason America is still in shutdown mode is political. Either politicians are too afraid to make any move that might come back to bite them politically or politicians are using this coronavirus to political advantage — to, say, pass gun control laws, like Virginia’s governor, Ralph Northam. Or to, say, float campaign hopes on the current ravaged economy, like former Vice President Joe Biden and oh, all the Democrats facing races. But for the

rest of America — the rest of hardworking, freedom-loving America — it's time to reel in the radically unconstitutional.

74. “If you’re going to dance on someone’s constitutional rights, you better have a good reason — you better have a really good reason, not just a theory,” Erickson (/topics/dan-erickson/) said. “The data is showing us it’s time to lift ... so if we don’t lift, what is the reason?” That is the key question. As time goes by, the answer will only become more and more evident. The coronavirus may be real — but the hype is hoaxed. Now let’s just hope this is a one-time hoax that doesn’t roll around every time flu season approaches. *Cheryl Chumley can be reached at cchumley@washingtontimes.com (<mailto:cchumley@washingtontimes.com>) or on Twitter, @ckchumley. Listen to her podcast “Bold and Blunt” by clicking [HERE](https://www.washingtontimes.com/staff/cheryl-k-chumley/) (<https://www.washingtontimes.com/staff/cheryl-k-chumley/>).*

75. **45 out of 50 U.S. Governors did not force covid-19 infected patients into nursing homes, but 5 of them did, Andrew Cuomo (NY) Tom Wolf (PA) Phil Murphy (NJ) Gavin Newsom (CA) Gretchen Whitmer (MI), that is nearly 40% of all COVID-19 deaths in the United States, that is not an accident, that is premeditated murder, treasonous acts, and dereliction of duty.**

WHEREFORE, Plaintiffs pray for relief as more fully set forth below.

CLAIMS FOR RELIEF
Violation of the Due Process Clause of the Fifth Amendment

Plaintiff hereby re-allege and incorporate by reference each of the allegations set forth above.

76. The Constitution recognizes and preserves the fundamental right of citizens to be free from government actions that harm life, liberty, and property. These inherent and inalienable rights reflect the basic societal contract of the Constitution to protect citizens and posterity from

government infringement upon basic freedoms and basic (or natural) rights. The rights to life, liberty, and property have evolved and continue to evolve as technological advances pose new threats to these fundamental rights and as new insights reveal discord between the Constitution's central protections and the conduct of government. As set forth in the Preamble of the Constitution, these rights belong to present generations as well to our "Posterity" (or future generations).

77. Our nation's guaranty under Article IV Section 4 that states The United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against Invasion is critical to Plaintiff's rights to life, liberty, and property. Our nation's Form of Government has been, and continues to be, harmed by Defendants. Defendants harmed our nation's Form of Government with full appreciation of the results of their acts. Plaintiff's substantive Fifth Amendment rights have been infringed because Defendants directly caused Our nation's Form of Government to rise to levels of Totalitarianism that dangerously interfere with a stable Republic Form of Government system required by our nation's founding documents.

78. The present Socialist concentration and continuing Socialist emissions – a function, in substantial part, of Defendants' historic and continuing permitting, authorizing, and subsidizing of Socialist agendas – endangers Plaintiff's life, liberty, and property.

79. World history proves and the Defendants have known about the danger to Plaintiff's safety created by a Totalitarianism type of Government. Acting with full appreciation of the consequences of their acts, Defendants knowingly caused, and continue to cause, dangerous interference with our Republic Form of Government system. Defendants have knowingly endangered Plaintiff's health and welfare and freedom by approving and promoting a Totalitarianism type of Government. All of these deliberate actions by Defendants have

cumulatively resulted in dangerous levels of Socialism, a Totalitarianism type of Government, which deprive the Plaintiff of his fundamental rights to life, liberty, and property.

80. The Plaintiff is suffering harm by the dangerous aggregate actions and deliberate omissions of Defendants. Defendants' dangerous interference with a stable Republic system is having such irreversible and catastrophic consequences as to shock the conscience. The conduct, if not fundamentally altered, will have even worse consequences for future generations. The affirmative aggregate acts of Defendants have been and are infringing on Plaintiff's right to life by causing dangerous concentrations of Socialism in our nation's Governments and dangerous interference with our country's stable Republic system.

81. The affirmative aggregate acts of Defendants have been and are infringing on Plaintiff's liberties by placing Plaintiff in a position of danger with a destabilized government system and dangerous levels of a Communist atmosphere. Defendants' aggregate acts of increasing Marxism in the social atmosphere by creating state of emergencies and lockdowns on false information and allowing Black Live Matter and Antifa to run rabid throughout our nation tearing down statutes, rioting, burning down buildings, looting and killing, have been and are harming Plaintiffs' dignity, including his capacity to provide for his basic human needs, safely raise his family, practice his religious and spiritual beliefs, maintain his bodily integrity, and lead a live with access to water, shelter, food, good health, financial stability, live without fear, and freedom.

82. After knowingly creating this dangerous situation for the Plaintiff, Defendants continue to knowingly enhance that danger by allowing Socialist and anti-Americans in Government and allow Marxist groups at dangerous levels run rabid, thereby violating Plaintiffs' substantive Fifth Amendment due process rights.

83. After placing the Plaintiff in a position of danger, Defendants have continued to act with deliberate indifference to the known danger they helped create and enhance. A destabilized Government system poses unusually serious risks of harm to Plaintiff's life and his bodily integrity and dignity. As described at length, *supra*, these risks are so substantial as to shock the conscience. Defendants have had longstanding, actual knowledge of the serious risks of harm and have failed to take necessary steps to address and ameliorate the known, serious risk to which they have exposed Plaintiff. With deliberate indifference, Defendants have not implemented their own plans for Government stabilization or any other comprehensive policy measures to effectively reduce Totalitarian levels that would adequately protect Plaintiff from the dangerous situation of Government destabilization.

84. By exercising sovereignty over the Form of Government and the federal public domain, by assuming authority and regulatory responsibility over Local Governments, and by allowing and permitting Socialism, Defendants have also assumed custodial responsibilities over the Government systems within its jurisdiction and influence. In assuming control of our nation's psychological atmosphere and Government system, Defendants have imposed severe limitations on Plaintiff's freedom to act on his own behalf to secure a stable Government system and, therefore, have a special relationship with a Plaintiff, and a concomitant duty of care to ensure his reasonable safety. By their affirmative acts resulting in dangerous interference with a stable Government system, Defendants have abrogated their duty of care to protect Plaintiff's fundamental rights to life, liberty, and property. In their custodial role, Defendants have failed to protect Plaintiff's needs with respect to the Government system in violation of the Fifth Amendment.

85. Furthermore, Defendants' acts, if not fundamentally altered without delay, will effect a complete taking of some of Plaintiff's property interests by virtue of the Marxist level rise that is an incident of Defendants' unlawful actions.

86. The United States is depriving Plaintiff of his fundamental rights to be free from the dangerous government acts, which infringe on his fundamental rights to life, liberty, and property, by allowing Marxists in government positions. This act is unconstitutional on its face and as applied and deprive Plaintiff of his fundamental rights to life, liberty, and property.

87. The affirmative aggregate acts of Defendants in the areas of the Form of Government cannot and do not operate to secure a more compelling state interest than Plaintiff's fundamental rights to life, liberty, and property.

WHEREFORE, Plaintiffs pray for relief as more fully set forth below.

CLAIM FOR RELIEF
Violation of Equal Protection Principles
Embedded in the Fifth and Fourteenth Amendments

Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth above.

88. Defendants have violated the equal protection principles of the Fourteenth Amendment, embedded in the Due Process Clause of the Fifth Amendment.

89. The affirmative aggregate acts of Defendants in the areas of advocating and creating Socialism irreversibly discriminate against Plaintiff's exercise of his fundamental rights to life, liberty, and property, and abridge central precepts of equality. The affirmative aggregate acts of Defendants in the areas advocating and creating Socialism have caused and are causing irreversible change in the Form of Government. As a result, the harm caused by Defendants has denied Plaintiff the same protection of fundamental rights afforded to prior and present generations of citizens.

The imposition of this disability on the Plaintiff serves only to disrespect and subordinate him. The principles of the Equal Protection Clause, which are embedded in the Due Process Clause, prohibit the Federal Government's unjustified infringement of Plaintiff's right to be free from Defendants' aggregate acts that destabilize our nation's Form of Government whose protection is fundamental to Plaintiff's fundamental rights to life, liberty, and property. Because fundamental rights are at stake and are being infringed by the affirmative aggregate acts of Defendants, this Court must apply strict scrutiny for a denial of equal protection of the law.

90. The Fifth Amendment's Due Process Clause and the Fifth Amendment's equal protection principles are profoundly connected but set forth distinct principles, which are implicated here. The reason why a stable Republic Form of Government system is inherent in our fundamental rights to life, liberty, and property becomes more clear and compelling because of the grave and continuing harm to individual rights that results from discriminatory laws and actions that prevent a stable Republic Form of Government system. The application of these dual principles requires strict scrutiny of Defendants' discriminatory laws and actions.

91. The Plaintiff is a separate suspect class in need of extraordinary protection from the political process pursuant to the principles of Equal Protection. As evidenced by their affirmative aggregate acts, Defendants have a long history of deliberately discriminating against Americans and future generations in exerting their sovereign authority over our nation's Form of Government for the economic benefit of present politicians and their families. Plaintiff is an insular minority with little, if any, political power or influence over Defendants and their actions concerning the Form of Government. Plaintiff has immutable financial characteristics that he cannot immediately change. Future generations do not have present political power or influence, have immutable characteristics and are also an insular minority.

92. The Plaintiff have no avenues of redress other than this Court, as Plaintiff cannot challenge or alter the acts of Defendants concerning The Form of Government. Plaintiff will disproportionately experience the irreversible and catastrophic impacts of Marxism.

93. For purposes of the present action, the Plaintiff should be treated as a protected class because the overwhelming majority of harmful effects caused by the acts of the Defendants will occur in the future. This Court should determine the plaintiff must be treated as a protected class, and federal laws and actions that disproportionately discriminate against and endanger him must be invalidated.

94. The affirmative aggregate acts of Defendants reflect a *de facto* policy choice to favor influential and entrenched short-term Marxist interests to the long-term detriment of the Plaintiff—precisely the sort of dysfunctional majoritarian outcome that our Constitutional system is designed to check. Such a check is especially appropriate here because our country will soon pass the point where the Plaintiff will no longer be able to secure equal protection of the laws and protection against an uninhabitable Marxist system.

95. The Marxism in the social atmosphere by creating state of emergencies and lockdowns on false information and allowing Black Live Matter and Antifa to run rabid throughout our nation tearing down statutes, rioting, burning down buildings, looting and killing, discriminates against the Plaintiff by exacerbating already-dangerous levels of Marxism and a dangerous Government system, the consequences of which will be irreversible and catastrophic in Plaintiff's lifetime and his children's' lifetime. The Socialist acts creates a disproportionate impact on suspect classes. Historical evidence demonstrates Defendants' discriminatory and intentional acts against Americans and future generations in order to foster the short-term economic interests of other classes, including corporations. The Socialist acts unconstitutionally deprives the Plaintiff and

future generations of equal protection of the law because the full impacts of excess Marxism and the dangerous Socialist Laws resulting from the U.S. government-authorized state of emergencies and lockdowns on false information and allowing Black Live Matter and Antifa to run rabid throughout our nation tearing down statutes, rioting, burning down buildings, looting and killing will be disproportionately imposed upon the Plaintiff and for millennia by future generations. The Socialists in government advocating Marxist laws violates Plaintiff's rights of equal protection under the law.

96. The affirmative aggregate acts of Defendants unconstitutionally favor the present, temporary economic benefits of certain citizens, especially corporations, over Plaintiffs' rights to life, liberty, and property.

WHEREFORE, Plaintiffs pray for relief as more fully set forth below.

CLAIM FOR RELIEF
The Unenumerated Rights Preserved for the People
by the Ninth Amendment

Plaintiffs hereby re-allege and incorporate by reference each of the allegations set forth above.

97. Protecting the vital natural systems of our nation for present and future generations is fundamental to our scheme of ordered liberty and is deeply rooted in this nation's history and tradition. Without a stable Government system, both liberty and justice are in peril. Our nation's obligation to protect vital Republic systems for Posterity has been recognized throughout American history, particularly through our country's legislation. Our nation's founders intended that the federal government would have both the authority and the responsibility to be a steward of our country's essential Republic System. This stewardship is clear from the delegation of powers to Guarantee a Republic form of Government and the conveyed authority to Protect against

invasion of any other totalitarian form of government and address major challenges facing our nation as a whole. Among the implicit liberties protected from government intrusion by the Ninth Amendment is the right to be sustained by our country's vital Republic Government system.

98. Fundamental to our scheme of ordered liberty, therefore, is the implied right to a stable Republic system and a psychological atmosphere that are free from dangerous levels of Marxism fears. Plaintiffs hold these inherent, inalienable, natural, and fundamental rights.

99. The affirmative aggregate acts of Defendants have unconstitutionally caused, and continue to materially contribute to, dangerous levels of Marxism and a destabilized Government system.

100. The affirmative aggregate acts of Defendants have infringed, and continue to infringe, on Plaintiffs' fundamental constitutional rights.

WHEREFORE, Plaintiffs pray for relief as more fully set forth below.

CLAIM FOR RELIEF
Violation of the Public Trust Doctrine

Plaintiff hereby re-allege and incorporate by reference each of the allegations set forth above.

101. The Plaintiff is a beneficiary of rights under the public trust doctrine, rights that are secured by the Ninth Amendment and embodied in the reserved powers doctrines of the Tenth Amendment and the Vesting, Nobility, and Posterity Clauses of the Constitution. These rights protect the rights of present and future generations to a Republic form of Government that is of public concern to the citizens of our nation. The vital Republic form of Government is entrusted to the defendants. The overarching public trust encompasses our national and local governments. Defendants must take affirmative steps to protect those trusts.

102. As sovereign trustees, Defendants have a duty to refrain from Totalitarianism actions and laws. The affirmative aggregate acts of Defendants in the area of the Form of Government have

unconstitutionally caused, and continue to cause, substantial impairment to the essential public trust to a Republic form of Government. Defendants have failed in their duty of care to safeguard the interests of the Plaintiff as the present and future beneficiaries of the public trust. Such abdication of duty abrogates the ability of succeeding members of the Executive Branch and Congress to provide for the survival and welfare of our citizens and to promote the endurance of our nation.

103. As sovereign trustees, the affirmative aggregate acts of Defendants are unconstitutional and in contravention of their duty to hold a Republic form of Government in trust. Instead, Defendants have alienated substantial portions a Republic form of Government in favor of the interests of private parties so that these private parties can treat our nation's citizens as a money machine to line their pockets. Defendants have failed in their duty of care as trustees to manage their part of this nation in the best interests of the present and future beneficiaries of the trust property, including, but not limited to, the Plaintiff. Such abdication of duty abrogates the sovereign powers of succeeding members of the Executive Branch and Congress to provide for the survival and welfare of our Nation's citizens and to promote the endurance of our Nation.

WHEREFORE, Plaintiffs pray for relief as more fully set forth below.

PRAYER FOR RELIEF

“[W]hen the rights of persons are violated, ‘the Constitution requires redress by the courts,’ notwithstanding the more general value of democratic decision-making.” *Obergefell v. Hodges*, 576 U.S. ____, slip. op. at 24 (2015) (internal citations omitted). The 11th Circuit held that the plaintiff didn't have to show evidence of “direct monetary loss” in order to establish that he deserved compensation. The court held that the plaintiff could show he was entitled to damages by presenting evidence of physical pain or emotional distress resulting from the incident. And, the

court said, even a Section 1983 plaintiff who can't show these kinds of losses can be entitled to nominal damages. Slicker v. Jackson, 215 F.3d 1225, 1227 (11th Cir. 2000).

1. Plaintiff's damages are real and substantial. Plaintiffs assert damages in the minimum amount of 20 million dollars (\$20,000,000.00) from each defendant which includes pain and suffering, loss of liberty, and injuries to property and income, and for reparations for the partial destruction of Plaintiff Nation. Damages should come from Defendants personally, not from the taxpayers.

2. An order for the U.S. Marshall's Service to serve all defendants this complaint.

3. Declare that Defendants have violated and are violating Plaintiffs' fundamental constitutional rights to life, liberty, and property by substantially causing or contributing to a dangerous concentration of Marxism, and that, in so doing, Defendants dangerously interfere with a stable Republic form of Government system required and Guaranteed by the Defendants via Oath of Office and our Constitution and by Congressional Intent of Statutes.

4. Enjoin Defendants from further violations of the Constitution underlying each claim for relief;

5. Declare the State of Emergencies and Lockdowns, to be unconstitutional on its face;

6. Declare Black Lives Matter and Antifa a Marxist threat and to be unconstitutional and order it to be defunded and to disband.

7. Declare Defendants' public trust violations and enjoin Defendants from violating the public trust doctrine underlying each claim for relief;

8. Order Defendants to purge any type of Socialists and anti-American from government employment and educational positions.

9. Order Defendants to prepare and implement an enforceable national remedial plan to phase out Socialist Laws and teachings so as to stabilize the Republic form of Government and to teach the principles of and protect the Constitutional Republic form of Government on which Plaintiff now and in the future will depend;
10. Retain jurisdiction over this action to monitor and enforce Defendants' compliance with the national remedial plan and all associated orders of this Court;
11. An injunction blocking all defendants' alleged State of Emergencies and all alleged pandemic lockdowns and restrictions.
12. An injunction blocking All Black Lives Matter and antifa activities.
13. Grant such other and further relief as the Court deems just and proper.

PRAYER FOR RELIEF

U.S. Constitutional Claims Against New Jersey Governor Phil Murphy

1. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate Article 2, Section 9, clause 2, of the US Constitution.
2. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate Article 4, Section 2 of the US Constitution.
3. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate under Article 4, Section 4 of the US Constitution.
4. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the First Amendment of the US Constitution.
5. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the Fifth Amendment of the US Constitution.

6. Plaintiff seeks declaratory judgment that Murphy's Coronavirus Executive Orders violate the Fourteenth Amendment of the US Constitution.

42 U.S.C. § 1983

1. Plaintiffs seeks an injunction to prevent defendant Phil Murphy from further actions which deprive plaintiff from rights protected under the United States Constitution and the Constitution of the State of New Jersey.

2. Plaintiff seeks all lawful remedies resulting from Phil Murphy's intentional acts to violate the civil rights of the plaintiff, including damages in an amount of \$20,000,000.00, an award of costs and fees, and punitive damages in an amount sufficient to deter future behavior.

3. Plaintiff seeks all other remedies available to the plaintiff, whether in law or equity as this court may deem appropriate, including a trial by jury for all material issues of fact which may arise.

Verification, Certification, and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Certification of service

PLEASE TAKE NOTICE that Plaintiff certifies that the above-named defendants have been served All Motion Documents via USPS Priority Mail to:

Judge Claire C. Cecchi
Martin Luther King Building
& U.S. Courthouse
50 Walnut street
court room: MLK 5b
Newark, NJ 07101

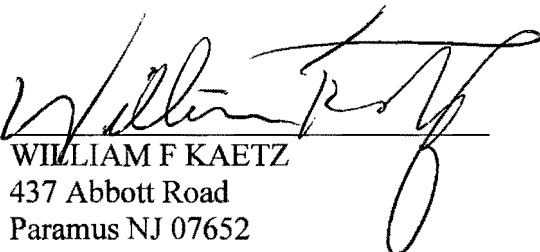
Judge James B. Clark, III
Martin Luther King Building
& U.S. Courthouse
50 Walnut street
court room: MLK 2A
Newark, NJ 07101

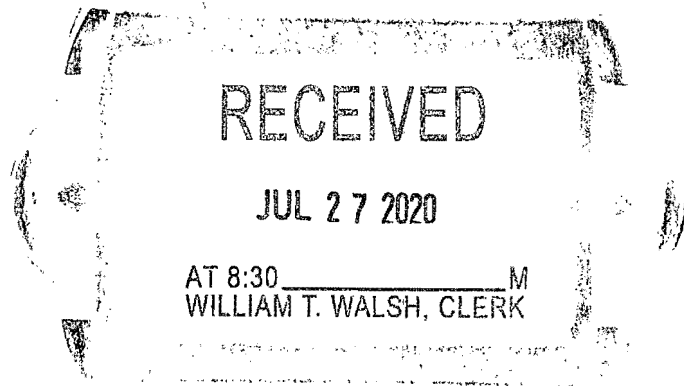
Martin Luther King Building
& U.S. Courthouse
Attention Court Clerk
50 Walnut Street Room 4015
Newark, NJ 07101

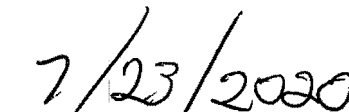
Office of the United States Attorney
970 Broad Street, Suite 700
Newark, NJ 07102

I certify that all the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Respectfully submitted this 23th day of July 2020.


WILLIAM F KAETZ
437 Abbott Road
Paramus NJ 07652
201 753 1063
Plaintiff




July 23, 2020